

From: [Sivak, Michael](#)
To: [Metz, Chloe](#); [Mishkin, Katherine](#)
Subject: RE: Another delineation question...
Date: Tuesday, June 30, 2015 10:04:00 AM

Agreed. Delineate to ARARs, not risk-based criteria or impact to groundwater.

Michael Sivak
212.637.4310

From: Metz, Chloe
Sent: Tuesday, June 30, 2015 10:03 AM
To: Mishkin, Katherine; Sivak, Michael
Subject: RE: Another delineation question...

We typically delineate to ARARs and the impact to groundwater numbers are not considered ARARs since they are developed on a site-specific basis. I know we have used them as cleanup values. I think it's important to separate the two though. Just because we delineate using a certain value, it does not mean that is what our cleanup value will be. Delineation in the RI is just to get a rough sense of the volume of contamination we are dealing with so that we can properly evaluate that in the FS.

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From: Mishkin, Katherine
Sent: Tuesday, June 30, 2015 9:35 AM
To: Sivak, Michael; Metz, Chloe
Subject: RE: Another delineation question...

Hey guys – just circling back to this. Are you aware of any NJ sites where we have delineated to the IGW numbers in accordance with the NJDEP tech rules? This call on RK will be interesting today because I'm not sure if we'll be able to back up NJDEP on this one.

http://www.nj.gov/dep/rules/rules/njac7_26e.pdf

Katie

Katherine Ryan Mishkin
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From: Sivak, Michael
Sent: Thursday, June 04, 2015 9:56 AM

To: Mishkin, Katherine; Metz, Chloe

Subject: RE: Another delineation question...

Katie,

Who from the state was at the meeting and pushing this?

Michael Sivak

212.637.4310

From: Mishkin, Katherine

Sent: Wednesday, June 03, 2015 4:23 PM

To: Sivak, Michael; Metz, Chloe

Subject: Another delineation question...

Chloe and Michael,

Meeting with the state on Rolling Knolls was interesting...

They continue to say we have to delineate to impact to groundwater, although I reminded them that we are delineating to ARARs (residential direct impact for soil, eco for sediment, and NJDEP MCLs for groundwater). However, they cited the New Jersey tech regs (http://www.nj.gov/dep/rules/rules/njac7_26e.pdf) and specifically the section I've pasted below. I've highlighted the specific portions of the section the state referred to during the meeting. #1 pertains to saturated and unsaturated soil within the property boundary and that it should be delineated to residential direct contact (which we are doing) and #3 pertains to only the unsaturated soil without regard to a property boundary and says delineation should be to the impact to groundwater value.

Have you seen delineation to IGW numbers at any site? I would think this would ultimately be a management call, but wanted to let you know that the state seemed to feel pretty strongly about it and said that we should follow their guidance. I wasn't familiar with this specific document until now.

Remedial investigation of soil

(a) The person responsible for conducting the remediation shall conduct a remedial investigation of contaminated soil as follows:

1. Within the property boundary:

i. Delineate the horizontal and vertical extent of all soil contamination that is associated with a site-related area of concern in both the saturated and unsaturated soil to:

(1) The residential direct contact soil remediation standard; or

(2) The non-residential direct contact soil remediation standard if a remedial action will be implemented that will appropriately restrict the use of the entire property and the property owner has agreed to place a deed notice and engineering controls, as appropriate, on the property; or

ii. If the property owner has agreed to restrict the use of the entire property and to place a deed notice and an engineering control on the entire property, then delineation of the horizontal and vertical extent of all soil contamination associated with a site-related area of concern to a direct contact soil remediation standard is not required provided the requirements of (a)2 through 5 below are met;

2. Outside the property boundary, delineate the horizontal and vertical extent of all soil contamination associated with a site-related area of concern in both the saturated and unsaturated soil to the residential direct contact soil remediation standard;

3. For soil contamination associated with a site-related area of concern, delineate the horizontal and vertical extent of all soil contamination in the unsaturated zone which contains contaminants above the impact to ground water soil remediation standard without regard to the property boundary;

4. Delineate the horizontal and vertical extent of free product and residual product in

both the saturated and unsaturated zones without regard to the property boundary; and
Katie

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